
Public Notice

Applicant:

Forest City, LLC, and the
City of Painesville

Date:

Published: September 23, 2002

Expires: October 22, 2002

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 97-501-0004(2) Section: OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Forest City, LLC, c/o Mr. Glenn Prokesh, Forest City Land Group, Terminal Tower, 50 Public Square, Suite 1050, Cleveland, Ohio 44113-2204, and the City of Painesville, c/o Mr. Gary A. Paine, 7 Richmond Street, Painesville, Ohio 44077, have jointly submitted a request for Department of the Army authorization to maintain the recently placed 0.85 acre of fill in wetlands and to construct the Shamrock Business Center Planned Unit Development and the Shamrock Boulevard and Bridge. The project is located in the vicinity of State Routes 2 and 44 and Jackson Street within the City of Painesville, Lake County, Ohio.

Forest City, LLC, is proposing a commercial/residential development North of the Conrail (CSX) tracks and the City of Painesville is proposing to construct the primary access road/right-of-way South of the CSX railroad tracks connecting Shamrock Business Center to Jackson Street to complete the single project.

Department of the Army authorization (DA) is required to place fill in 25.94 acres of Federal wetland and 9,042 linear feet of previously modified stream.

Project History:

On June 30, 1997, a previous property owner received a Nationwide Permit affirmation for the extension of Diamond Center Drive into the existing project proposal area that included impacts to 0.3 acre of Federal wetland. Although fill was placed for the road construction, the road was never completed.

Prior to submitting their current application, Forest City, LLC, recently placed fill in an additional 0.85 acres of Federal wetland without DA authorization. This fill was placed in addition to the 0.3 acre of fill that was previously authorized in 1997.

The City of Painesville has recently acquired additional land sufficient to establish a suitable road right-of-way for the construction of Shamrock Boulevard and bridge as access to the Forest City, LLC, property to the North.

Current Proposal:

The verified wetland delineation for the applicants' properties identifies a total of 52.4 acres of Federal wetland and approximately 9,200 linear feet of jurisdictional stream. Forest City, LLC, and the City of Painesville propose impacts to 25.94 acres of wetlands and 9,042 linear feet of stream, including those impacts that have already occurred. These wetlands are of low and medium quality.

As mitigation for these completed and proposed impacts, the applicants have jointly proposed to create 6.57 acres of wetlands onsite, purchase 31.7 credits at the Trumbull Creek Mitigation Bank, and create and enhance 11,075 linear feet of stream onsite.

Forest City's stated purpose for the project is to construct retail, residential, and commercial properties including necessary roadways and parking areas. The City of Painesville's stated purpose is to provide necessary infrastructure to provide access to lands within the City of Painesville Corporation limits in the area bounded on the East by State Route 44, on the South by the CSX railroad tracks, and on the West by the City of Mentor Corporation limits (the Forest City, LLC, property).

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Theresa B. Hudson, who can be contacted by calling (440) 437-5847, or by e-mail at: theresa.b.hudson@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, Orwell Field Office, 33 Grand Valley Avenue, Orwell, Ohio 44076-9566, and should be marked to the attention of Theresa B. Hudson, or by e-mail at: theresa.b.hudson@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

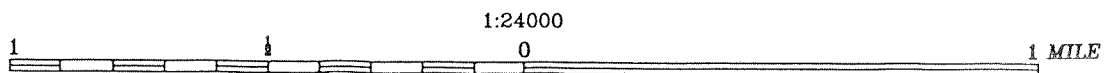
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

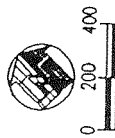
1963 (PHOTOREVISED 1992) MENTOR, OHIO QUADRANGLE

1963 (PHOTOREVISED 1992) MENTOR, OHIO QUADRANGLE



Residential, Commercial, Retail Facilities Location Map Forest City, LLC

Existing Federal Wetlands on Forest City, LLC, Property



THIS DRAWING HAS ELEMENTS PROVIDED BY:
acila
 odoche clunil lynn associates consulting engineers

LEGEND:

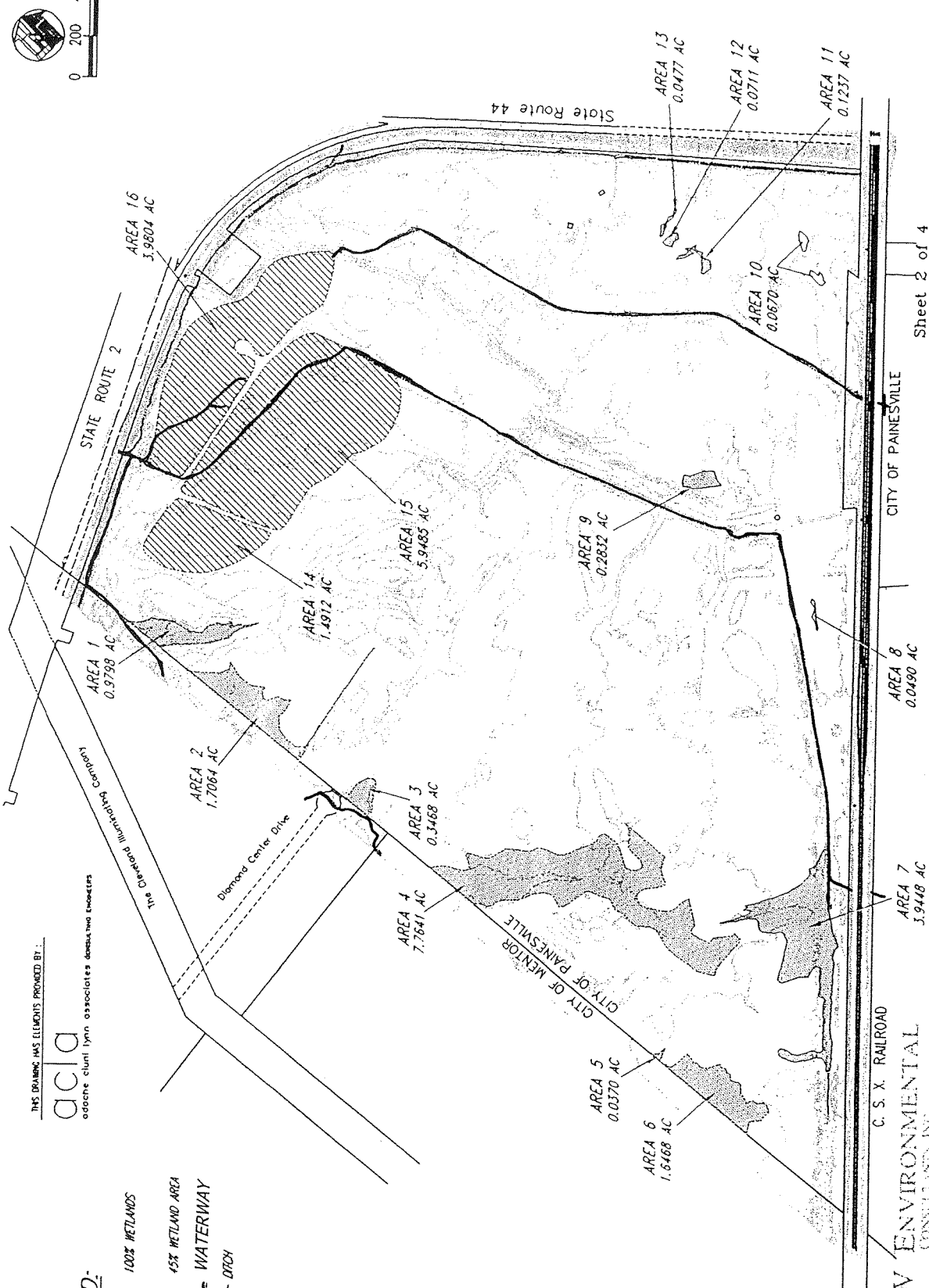
- 100% WETLANDS
- 45% WETLAND AREA
- WATERWAY
- DITCH

SHAMROCK BUSINESS CENTER PUD
 D/A Processing No. 97-501-0004(2)
 Lake County, Ohio Quad: MENTOR
 Sheet 2 of 11



HWZ ENVIRONMENTAL
 CONSULTANTS, INC.

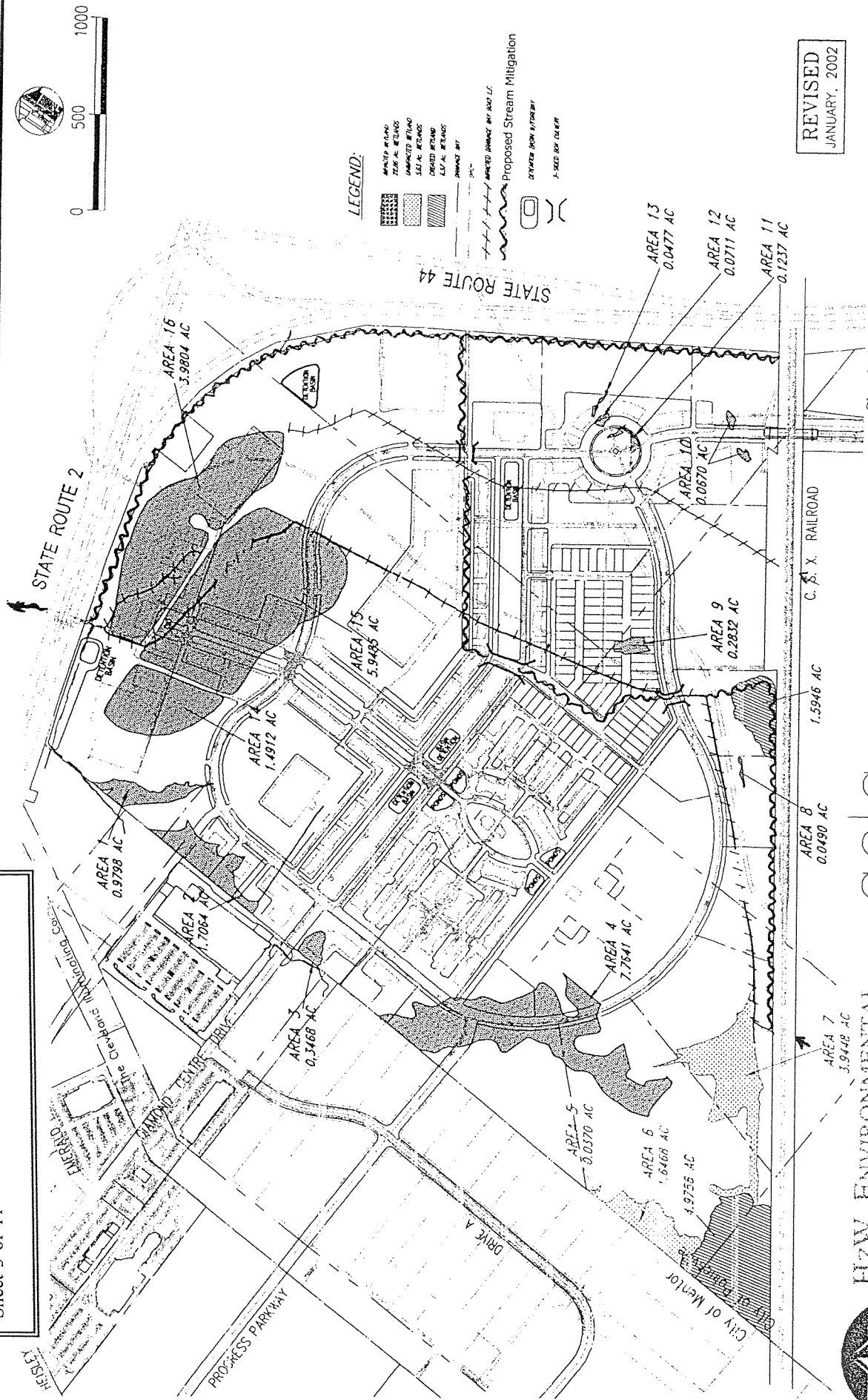
6105 Heisley Rd. • Mentor, OH 44060
 440-357-1260 • Fax 440-357-1510



Sheet 2 of 4
 Wetland and Stream Location Map
 Shamrock Business Center LTD.
 City of Painesville, Lake County, Ohio
 Permit Application No.

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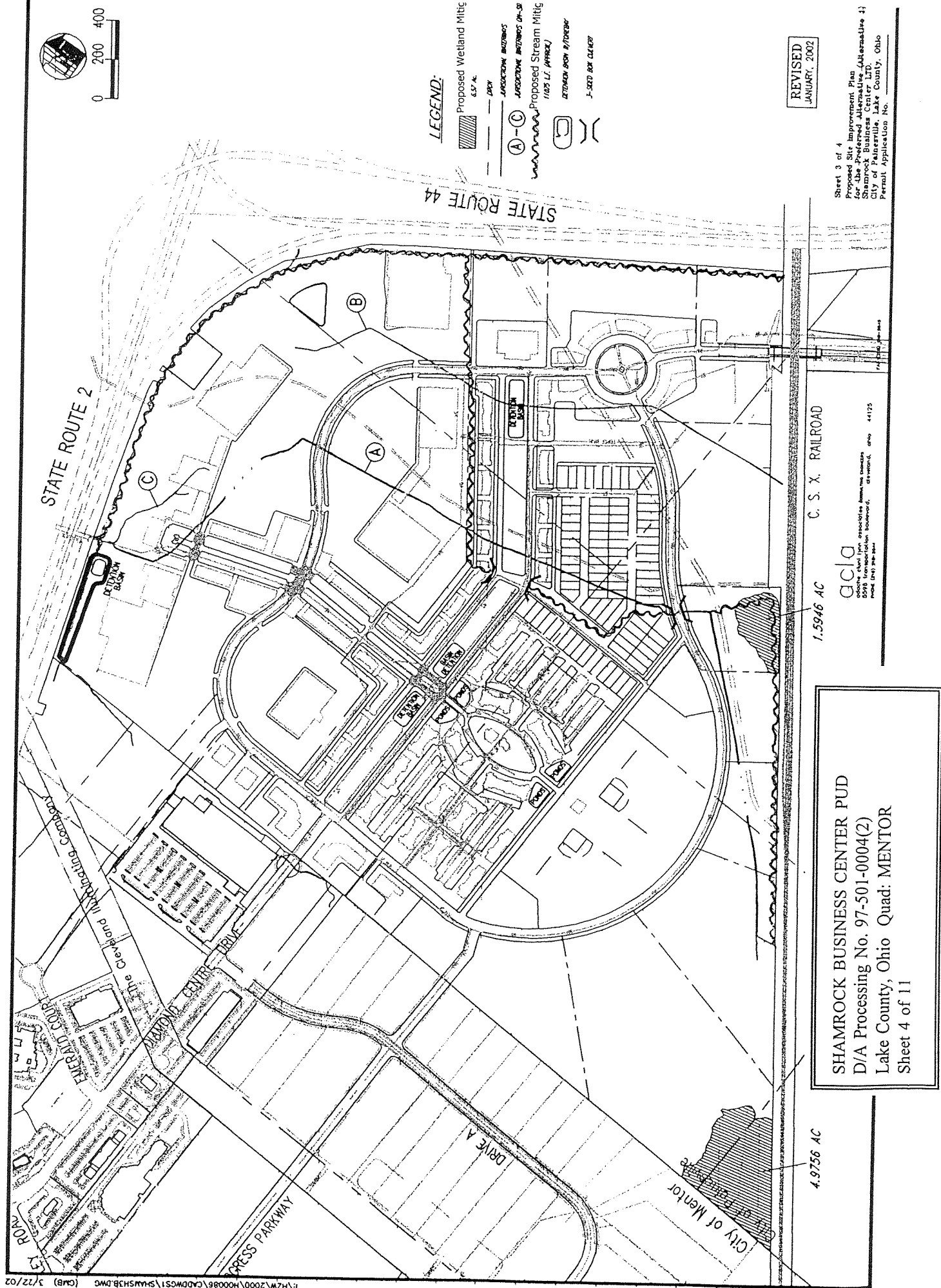
adache ciuni lynn associates consulting engineers
5595 transportation boulevard, cleveland, ohio 44125
PHONE (216) 518-5544 FAX (216) 518-5545

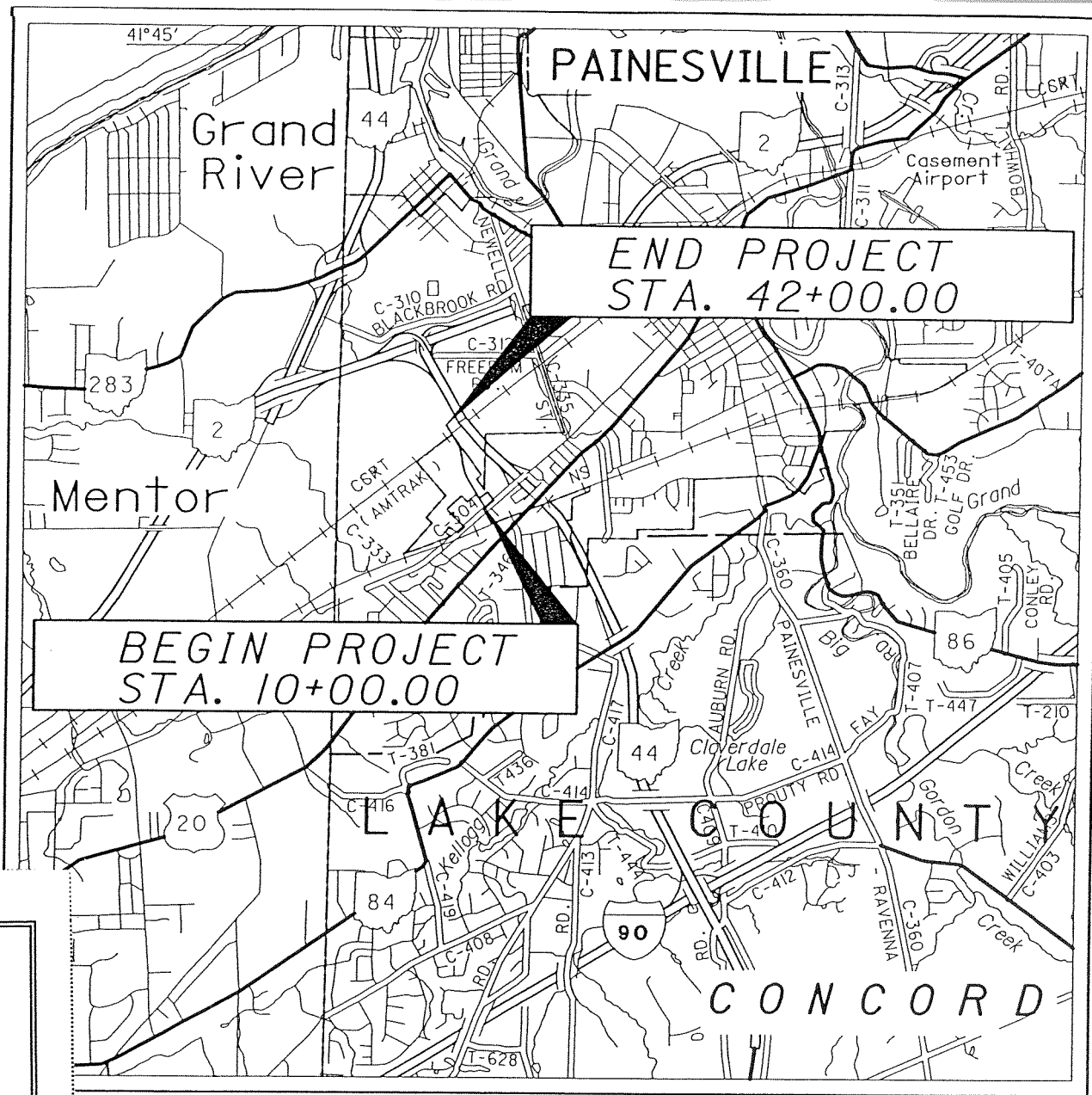
6105 Heisley Rd. • Mentor, OH 44060
440-357-1260 • Fax 440-357-1510

Site Development Plan Showing Wetland and Stream Impacts
Shamrock Business Center LTD.
City of Painesville, Lake County, Ohio
Permit Application No. _____

REVISED
JANUARY, 2002

Proposed On-Site Stream and Wetland Mitigation





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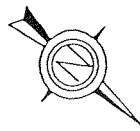
LOCATION MAP

PAGE 1 OF 6

SCALE IN MILES



INTERSTATE & DIVIDED HIGHWAY.....
UNDIVIDED STATE & FEDERAL ROUTES.....
OTHER ROADS.....



SHAMROCK BLVD
ATTACHMENT TO
SUBMITTAL DATED
JUNE 14, 2001

OVERALL
VICINITY MAP

Scale: 1"=500'

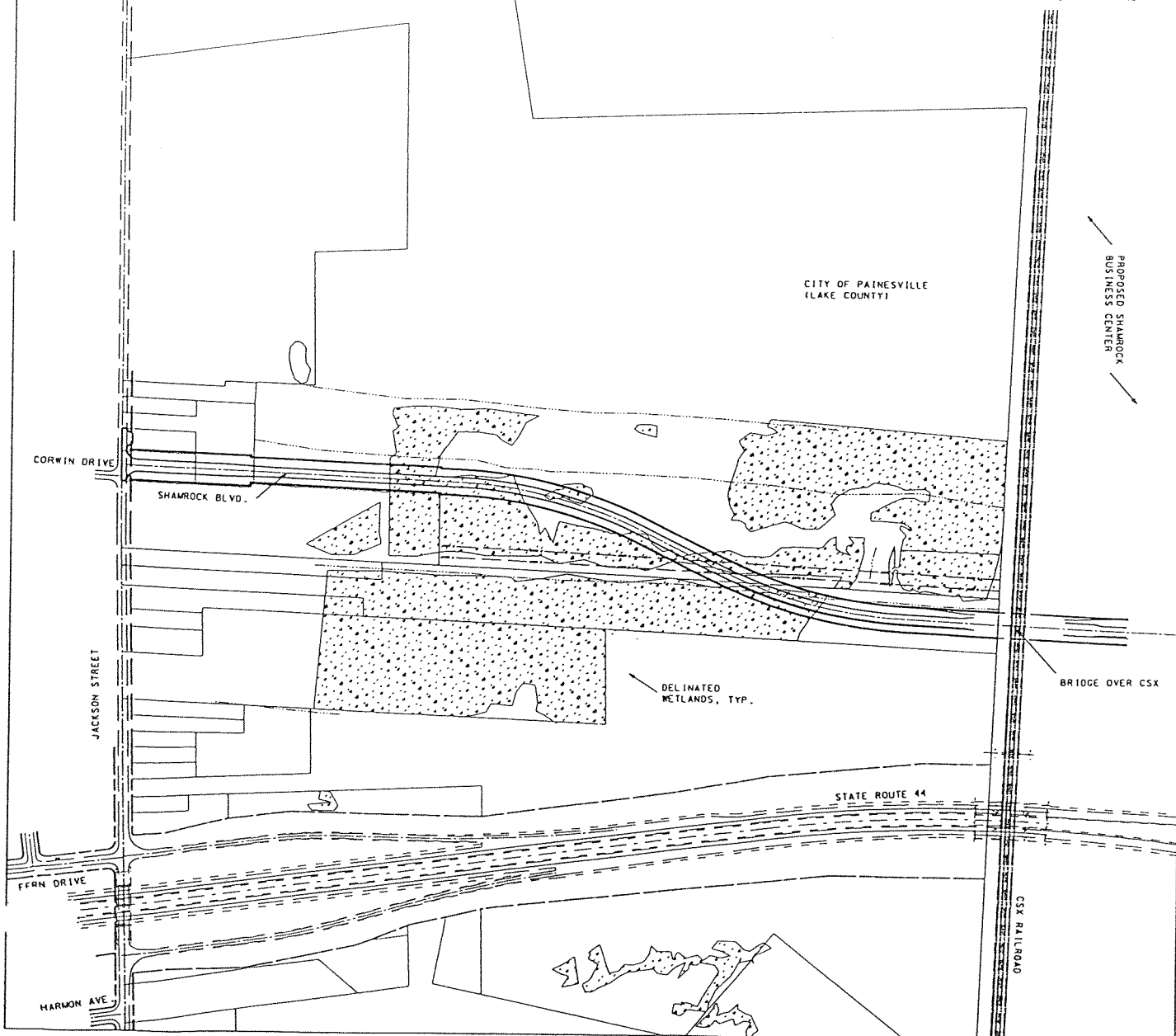
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Date: 7/12/01

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Shamrock Boulevard Access Road/Right-of-Way Wetland and Waterway Map



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MANHOLE, NO. 3 (TYP.)

P.K. NAIL SET
 STA. 16+26.57, 4.06' LT.

8'

N 32°53'45" W
 SHAMROCK BOULEVARD

BASIN,
 PLAN (TYP.)

LAND (TYP.)

39.23' RT.

PC Sta. 20+46.11

20+00

CURVE 1

P.K. NAIL SET
 STA. 19+91.27, 2.80' LT.

S ESMT

S ESMT

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MATCHLINE STA 22+00.00



Shamrock Boulevard Detail Map

ROADWAY PLAN
 NTS
 PG 3 OF 6

P.K. NAIL SET
STA. 22+91.31, 20.68' LT.

MATCHLINE STA. 22+00.00

SLOPE LIMITS

BIKEWAY

SHAMROCK
BOULEVARD

SHAMROCK BOULEVARD

MANHOLE, NO. 3 (TYP.)

CATCH BASIN,
AS PER PLAN (TYP.)

P.K. NAIL SET
STA. 26+06.00, 17.32' RT.

BEGIN DITCH
STA. 28+10, 61.0' RT.
ELEV. = 640.13

TYPE E-98 ANCHOR ASSEMBLY
STA. 29+87.50, RT.

Shamrock Boulevard Detail Map

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Shamrock Boulevard Detail Map

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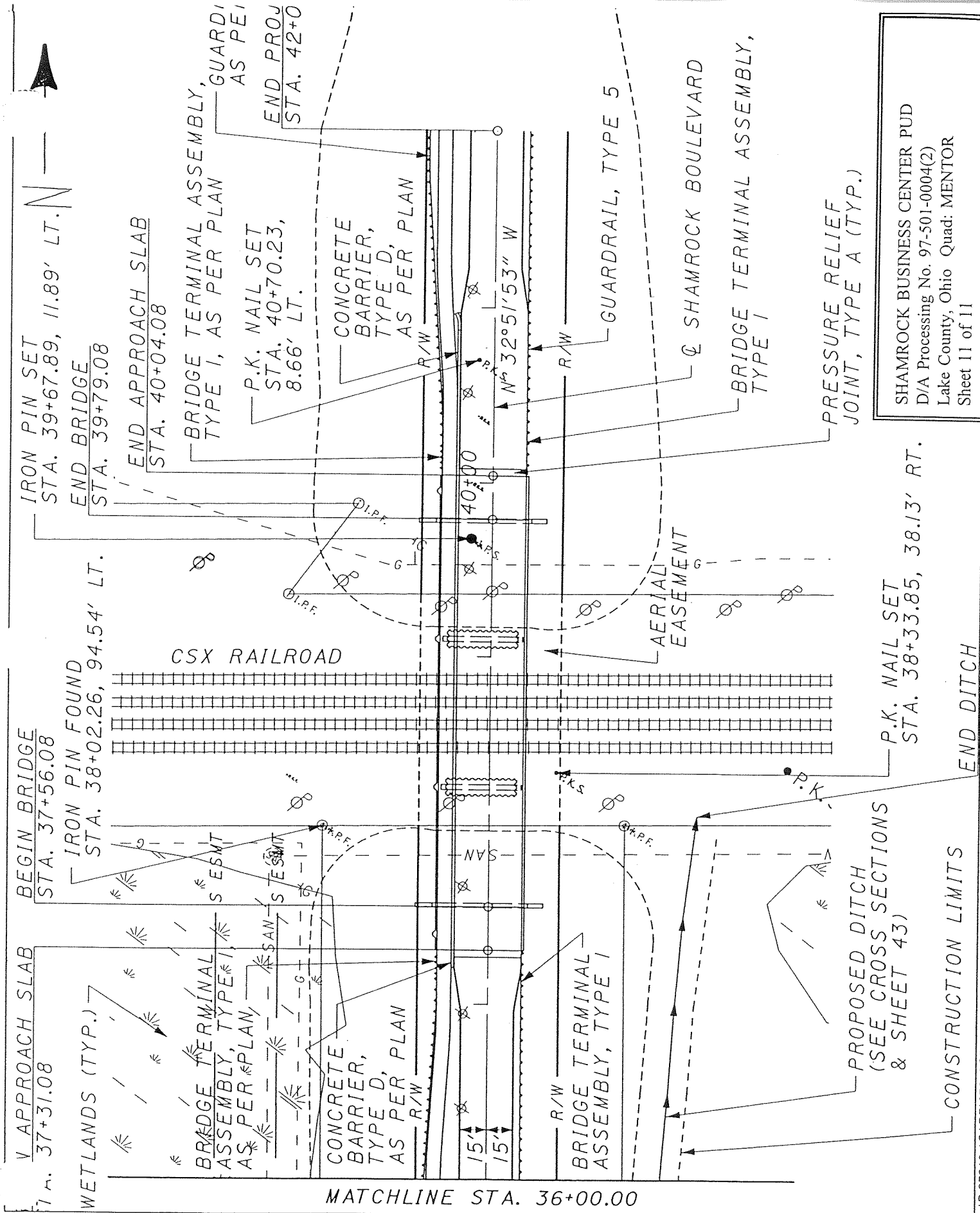
WETLANDS (TYP.)

GUARDRAIL, TYPE 5,
AS PER PLAN

ANCHOR ASSEMBLY, TYPE T, AS PER PLAN
STA. 29+87.50, LT.

MANHOLE NO.3,
AS PER PLAN

PC Sta. 29+26.80
PT Sta. 35+04.60
CURVE 2
R/W
GUARDRAIL, TYPE 5
CONSTRUCTION LIMITS
PROPOSED DITCH
(SEE CROSS SECTIONS
& SHEET 43)
K. NAIL SET
TA. 34+37.16, 35.70' RT.
HALF-HEIGHT HEADWALK
(SEE SCD HW-2.2M & HW-2.2M)



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Shamrock Boulevard Bridge Detail Map